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ONE HUNDRED SIXTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM

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SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS

Christopher Shays, Connecticut
Chairman
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July 5, 2000

Mr. Richard Clarke
National Coordinator for Security, Infrastructure
Protection, and Counterterrorism
National Security Council (Room 302)
Old Executive Office Building
Washington, D.C. 20504

Dear Mr. Clarke:

On behalf of the House Subcommittee on National Security, Veterans Affairs, and International Relations, Committee on Government Reform, I thank you for taking the time out of your busy schedule to brief us concerning government-wide efforts to combat terrorism.

The requested classified briefing was to focus on how the administration tracks terrorism-related spending within the government. The briefing should have allowed the Subcommittee the opportunity to discuss both procedural and substantive issues concerning government-wide efforts to detect, deter, prevent, and respond to terrorist acts. My staff and I found the information provided less than useful.

Your briefing slides (attached) state the "National Coordinator integrates agency efforts, identifies and insures resolution of issues, and provides for crisis management coordination." Based on this, we asked several questions:

We asked if there was an integrated threat assessment prepared. You responded this would be difficult to accomplish because of all the different threats faced by the United States. When asked if there is a comprehensive strategy to combat terrorism. You responded it was "silly" to believe a comprehensive strategy could be developed to combat terrorism. You did add a domestic preparedness plan would be developed. And

when asked how spending priorities are established, you responded by providing a list of terrorist organizations.

Saying it is difficult to prepare an integrated threat assessment, belittling a question about a comprehensive strategy, and providing a list of terrorist organizations does not answer our questions. If there are no clear requirements or plan, how does the administration prioritize the \$12.9 billion it intends to spend on combating terrorism, weapons of mass destruction preparedness, and critical infrastructure protection?

This Subcommittee has oversight responsibility and jurisdiction authority over matters affecting the "overall economy, efficiency and management of government operations and activities" (Rule X, clause 1(h)(6), Rules of the U.S. House of Representatives). As such, the Subcommittee requires information from the executive branch to accomplish oversight. The information provided was less than satisfactory.

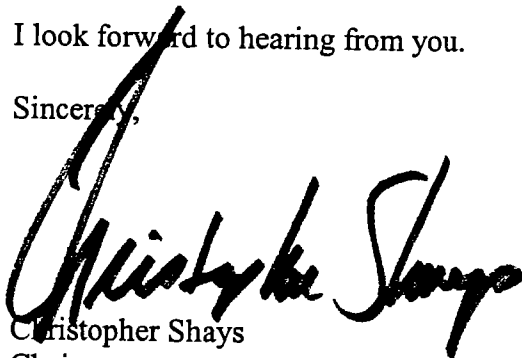
Specifically, the Subcommittee wants a written response to the following questions by July 21, 2000:

- Why is there no integrated terrorist threat assessment?
- When will a comprehensive strategic plan to combat terrorism be completed?
- How does the government prioritize government-wide spending to combat terrorism? More specifically, which office makes the final determination of how much money is given to an agency or program?

The written response can be unclassified or classified. Classified information should be provided separately to insure proper handling.

I look forward to hearing from you.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Christopher Shays".

Christopher Shays
Chairman

cc. Mr. Samuel R. Berger
Rep. Dan Burton
Rep. Henry Waxman
Rep. Mark Souder
Rep. Rod Blagojevich
Rep. John L. Mica
Rep. Tillie K. Fowler

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January 22, 2001

Dr. Condoleeza Rice
Assistant to the President
for National Security Affairs
The White House
Washington, D. C. 20500

Dear Dr. Rice:

In the 106th Congress, the House Subcommittee on National Security, Veterans Affairs, and International Relations, Committee on Government Reform, conducted a series of hearings on terrorism. These hearings brought out a number of issues for consideration. During the hearing entitled *Combating Terrorism: Assessing Threats, Risk Management, and Establishing Priorities*, held on July 26, 2000, several expert witnesses called for a centralized authority to counter terrorism, an integrated terrorist threat assessment, and development of a national strategy to counter terrorism.

Witnesses persuasively expressed the view that the current U.S. government organization to counter terrorism is flawed. The current focal point for terrorist related issues is the Special Assistant to the President and National Coordinator, Infrastructure and Counterterrorism, Mr. Richard Clarke. Mr. Clarke has stated his office lacks resources and has no authority over the 40 federal departments, agencies, and bureaus having a role in the effort to combat terrorism. As a result, agencies receive little guidance on funding priorities. Additionally, Mr. Clarke must be continually prompted before requests for information from this Subcommittee are answered. We assume he either does not have the resources to respond, or his office chose to turn a deaf ear to our requests. Coupled with this lack of leadership is the fact that Mr. Clarke's office is part of the National Security Council staff and beyond the purview of regular Congressional oversight.

Expert witnesses also stated analysis of the threat from terrorism lacks coordination. Currently, different agencies assess a myriad of threats making a national threat

assessment disjointed. For example, the Federal Bureau of Investigation assesses the domestic threat but cannot point to a single document providing an in-depth analysis prioritizing threats. The Central Intelligence Agency assesses international threats and works closely with the Defense Intelligence Agency to assess the threat to military forces, but even these resource-rich bureaucracies are having a myriad of problems predicting terrorist bomb attacks. This challenge was highlighted in the recent investigation of the USS Cole bombing which questions anti-terrorism intelligence gathering.

The hearings also indicated there is no coordinated national strategy. U.S. government agencies combating terrorism need a vision and mission statement, goals, and objectives. Several reports and experts in the field of countering terrorism agree there is a need for 1) a national office to coordinate agency efforts to counter terrorism and 2) a national strategy for agencies to use as an overarching guide to develop operational counterterrorism plans. These reports and experts include:

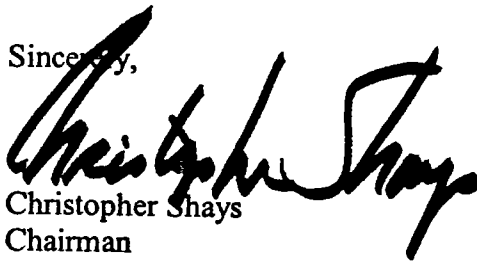
- *The Second Annual Report of the Advisory Panel to Assess Domestic Response Capabilities For Terrorism Involving Weapons of Mass Destruction* (Public Law 105-261) recommends, "the United States has no coherent, functional national strategy for combating terrorism, and the next President should establish a National Office for Combating Terrorism."
- *The National Commission on Terrorism* (Public Law 277) advocates enhancing planning and preparation to respond to terrorist attacks and creating stronger mechanisms to ensure that funding for individual agency counterterrorism programs reflects priorities integrated into a comprehensive national counterterrorism plan subject to congressional oversight.
- The report, *Combating Chemical, Biological, Radiological and Nuclear Terrorism: A Comprehensive Strategy* (Center for Strategic and International Studies (CSIS)) states, "The United States currently lacks a comprehensive strategy for countering the threat of terrorism...."
- Bruce Hoffman, Director of Rand Corporation's Washington office, and other experts on terrorism, have stated, "A prerequisite to ensuring that US resources are focused where they can have the most effect is a sober and empirical understanding of the terrorist threat, coupled with comprehensive and coherent strategy."

Given the amount of spending, over \$10 billion per year, and the large number of agencies involved, clear spending priorities must be established. Listing the threats, determining which are most likely, and establishing priorities will assist in determining which programs are most important and receive priority funding. Only then can the United States direct the resources into areas that will help prevent incidents such as the bombings of the Khobar Towers, U.S. embassies in Tanzania and Kenya, and USS Cole. During a briefing to this Subcommittee, Mr. Clarke stated there is no need for a national strategy. This Subcommittee, and others, disagree with Mr. Clarke's assessment that U.S. government agencies do not require a planning and preparation document to respond to terrorist attacks.

Last year Representative Tillie Fowler, Chairwoman, Transportation Subcommittee on Oversight, Investigations and Emergency Management, introduced legislation attempting to bring some organization to the administration's effort to combat terrorism. The bill (HR 4210) would have created the Office of Terrorism Preparedness (OTP), within the executive branch not captive to any single department or agency jurisdictional boundaries. The bill called for the OTP to take the lead in eliminating duplicative government functions and identify waste, fraud, and abuse through oversight of the agencies it coordinates. In addition, the OTP would exercise budgetary authority over agency's counterterrorism programs, basing funding decisions on accomplishing the goals of a defined national strategy.

As the new administration prepares to organize for the war on terrorism, I would welcome the opportunity to assist you and your staff. The Subcommittee has benefited from the series of hearings held on terrorism. The hearings provided a range of recommendations on specific steps to deter and prevent terrorist acts. I look forward to a close working relationship and an exchange of ideas. My staff and I are prepared to work with you on this challenge to the security of our nation. The points of contact on my Subcommittee staff working on this issue are Mr. Lawrence Halloran, Staff Director, and Mr. R. Nicholas Palarino, Senior Policy Analyst. Either can be contacted at 202-225-2548. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, reading "Christopher Shays". The signature is fluid and cursive, with the first name "Christopher" and last name "Shays" clearly legible.

Christopher Shays
Chairman

cc: Rep Dan Burton